

ORIGINAL

WDF, Inc., Plaintiff

07cv04828(WCC)

REG CASE

v.  
THE TRAVELERS COMPANIES, SETTLEMENT AGREEMENT  
Defendant

SETTLEMENT AGREEMENT dated this 25th day  
of July 2008 among The Travelers Companies, WDF Inc,  
and Thomas D. Czik

It is hereby agreed that the action  
titled WDF, Inc. v THE Travelers Companies, Inc.,  
07cv04828 is settled as follows:

1- Travelers Companies shall provide  
WDF with the settlement documents that  
it wishes WDF to sign in connection with  
this settlement by Friday, August 8, 2008;

2- WDF will return properly executed  
settlement documents after receipt;

3- Fifteen days after receipt of the  
properly executed settlement documents, Travelers  
will pay the settlement amount of \$375,000 -  
payable to "Thomas D. Czik, Attorney for WDF, Inc."

4- WDF agrees that it receives the settlement  
funds as Article 3A Trust Funds, as a Trustee  
for the fund, and to properly administer the funds,  
as trustee.

5- WDF agrees to indemnify and hold  
Travelers from  
harmless all costs and damages (including  
attorney fees) from any persons claiming to have  
not been paid by WDF (in connection with the equipment  
furnished  
SUNT Purchase Project (Contract No. 29273).

6. WDF and Thomas Czik agree that Thomas Czik's fee in connection with this settlement shall be \$55,000. Accordingly, the net amount payable to WDF shall be \$326,000.

~~7.~~ Except for personal injury and property damage claims and warranty, maintenance, and guarantee obligations, WDF and Travelers release one another from any claims in connection with the SUNY Purchase Project (Contract No. 29273) and shall exchange related releases in connection with this settlement.

Dated: White Plains, NY  
July 25, 2008

Tom Czik  
Thomas D. Czik  
(TC-3382)

  
Salen A. Stevens

WDF  
By: Debra J. Becker  
Becky BECKER (BT-SWB)  
GENERAL COUNSEL

WOLFF & SAMSON, P.C.  
Attorneys for Travelers  
by David E. Wolff  
DAVID E. WOLFF  
(DWZ 203)

SO ORDERED: Dated: White Plains, NY  
July 25, 2008

William C. Conner,  
United States District Judge